

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

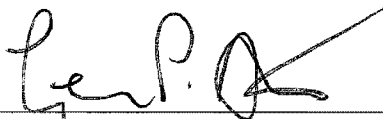
ZWANENBERG FOOD GROUP (USA) INC.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civ. No. 08-329-LPS
	:	
TYSON REFRIGERATED PROCESSED	:	
MEATS, INC.,	:	
	:	
Defendant.	:	

---

**ORDER**

At Wilmington this 27<sup>th</sup> day of February, 2009, for the reasons set forth in the opinion of this same date,

IT IS HEREBY ORDERED that defendant's motion for partial judgment on the pleadings (D.I. 11) is DENIED.

  
\_\_\_\_\_  
United States Magistrate Judge